Mr. Raman Tampi.—I beg to express my sense of thankfulness to His Highness the Maha Rajah and to you, Sir, personally for having appointed me as a member of this Council. I promise that, during the tenure of my membership, I shall try my very best to discharge faithfully my duties in the Council.

STAMP BILL.

Mr. Kesava Pillai.—I beg to propose the following amendments.—

i. In section 20, proviso (*a*) substitute "hands" for "hand" in line 3. This amendment is purely verbal.

ii. In section 21, clause (1), for the words "an amount" in line 4 substitute "any money."

This amendment is necessary to make the wording more precise.

Seconded by Mr. Ramaier.

Carried.

Section 44, clause (1).

Mr. Mahadeva Iyer.—I beg to propose that the words "or from whom they have been recovered" be added at the end of this clause.

This amendment is necessary because the clause refers not only to duty and penalty which have been paid by the parties but also those which have been recovered from them under section 50.

Seconded by Mr. Ramaier.

Carried.

Section 45.

Mr. Mahadeva Iyer.—I beg to propose that the words "and the sanction of Our Dewan has been obtained for such prosecution" at the end of the proviso to this section be omitted.

This amendment is in keeping with the amendments adopted at the last meeting of the Council in section 61, clause (3) and section 71, clause (1) of the Bill as amended by the Select Committee. Under these sections as amended by the Council the power to institute prosecutions for offences against the Stamp law is vested in the Division Peishkars.

Seconded by Mr. Kesava Pillai.

Carried.

Section 51.

Mr. Mahadeva Iyer.—I beg to propose that in lines 6 and 7 of this section the words "with the sanction of the Dewan" be omitted.

The corresponding section of the British Indian Act empowers the 'Collector' to make allowance for impressed stamps which have become spoiled. We have substituted 'Division Peishkar' for 'Collector' throughout and there seems to be no particular reason to make an exception in this instance.

Seconded by Mr. Ramaier.

Carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Section 53.

Mr. Mahadeva Iyer.—I beg to propose that the words "The Dewan" be substituted for the words "The Division Peishkar with the sanction of the Dewan" in lines 1 and 2 and the word "he" for the words "such authority" in line 11.

This section provides for allowances being made without limit of time for stamp papers used for printed forms of instruments by corporations. The corresponding section of the British Indian Act vests this power in the Chief Controlling Revenue authority.

Seconded by Mr. John.

Carried.

Section 55.

Mr. Mahadeva Iyer.—I beg to propose that in lines 5 and 6, the words "with the sanction of the Dewan" be omitted.

Under the British Indian Act when allowance is made for spoiled or misused stamps, the Collector has the power to decide in what form it is to be made. There seems to be no reason why the Division Peishkar should not exercise the same power here.

Seconded by Mr. Vieyra.

Carried.

Section 57.

Mr. Mahadeva Iyer.—I beg to propose that between the words "Dewan" and "may" in the last line of the proviso the words "with Our sanction" be inserted.

Under this proviso a form for the cancellation of the original debenture has to be prescribed. The British Indian Act vests this power in the Governor-General-in-Council.

Section 61.

Mr. Mahadeva Iyer.—I beg to propose that the words "for communication to the Division Peishkar" in lines 8 and 9 be omitted and the word "Dewan" substituted for "Division Peishkar" in line 12.

These words do not occur in the British Indian Act. As the reference to the High Court under section 59 is made by the Dewan, the disposal of the case must naturally rest with him and the decision will, in the ordinary course of business, be communicated to the Division Peishkar.

Seconded by Mr. Vieyra.

Carried.

SCHEDULE.

Article No. 10.

Mr. Mahadeva Iyer.—I beg to propose that the following be inserted after Article 10.

ASSIGNMENT—*See* CONVEYANCE (No. 23), TRANSFER (No. 62) and TRANSFER OF LEASE (No. 63), as the case may be.

ATTORNEY—*See* POWER OF ATTORNEY (No. 48).

AUTHORITY TO ADOPT—*See* ADOPTION DEED (No. 3).

These are found in the British Act and would greatly facilitate reference.

LIBRARY ARCHIVES Kerala Legislative Assembly

Seconded by Mr. Kesava Pillai.

Carried.

Article No. 13.

Mr. Mahadeva Iyer.—I beg to propose that the following be added as Exemption (*b*) to this Article :—

"(*b*). 'Bill of Lading' when executed out of Travancore and relating to property to be delivered in Travancore."

Under the British Indian Act bills of lading executed out of British India and relating to property to be delivered in British India are exempted from stamp duty. The proposed amendment seeks to introduce a corresponding provision here.

Seconded by Mr. Ramaier.

Carried.

Article No. 45.

Mr. Mahadeva Iyer.—I beg to propose that the words "or any Civil Court" occurring in line 1, clause (*c*) of the proviso be omitted. This amendment is consequent on the one adopted at the last meeting of the Council with respect to the definition of "Instrument of partition" where the words "or any Civil Court" were omitted.

Seconded by Mr. Govinda Pillai.

Carried.

Article No. 47.

Mr. Mahadeva Iyer.—I beg to propose that the following be added as an Exemption under clause (*d*) of this Article :—

"Policies of Life Insurance granted by Our Government in accordance with the State Life Insurance rules."

There is an exemption in the corresponding article of the British Indian Act with respect to Policies of Life Insurance granted by the Director-General of the Post Offices of India in accordance with the rules for Postal Life Insurance issued under the authority of the Government of India. Policies issued under our State Life Insurance rules require a similar exemption.

Seconded by Mr. Kesava Pillai.

Carried.

Article No. 53.

Mr. Mahadeva Iyer.—I beg to propose that the words "on account of lands assessed to Government revenue, or of jenmom lands" in clause (*c*) of the Exemption under this Article be omitted. This would bring the wording into conformity with the wording of the existing Stamp Regulation which is easily understood and acted upon.

Seconded by Mr. Ramaier.

Carried.

Article No. 57.

Mr. Mahadeva Iyer.—I beg to propose that in clause (*b*) of the Exemption under this Article, the word "due" be inserted between the words "the" and "accounting" in line 2.

This is merely a verbal amendment.

LIBRARY ARCHIVES Kerala Legislative Assembly

Seconded by Mr. Kesava Pillai.

Carried.

Mr. Kesava Pillai.—I beg to propose that the Bill as now amended be passed and that it come into force on the 1st day of Thulam 1081.

The motion was put and agreed to.

PUBLIC ACCOUNTANTS BILL.

Mr. Kesava Pillai.—I beg to propose the following amendments. They are all more or less verbal and are intended to make the wording precise and the meaning more clear.

(i) In section 1, line 3, substitute the words "by reason of being" for the word "being".

(ii) In section 2, lines 18 and 19, substitute the words "moneys, securities for money, documents or other property" for the words "money or the particular documents or property detained".

(iii) In section 4, insert the words "realized or" between "be" and "recovered" in line 4, substitute the words "sums due" for "moneys" in line 8, insert the words "realization or" between "evade" and "recovery" in line 11, and substitute the words "securities for money, documents or other property" for the words "document or property" in line 16.

(iv) In section 5, substitute the words "any securities for money, documents or other property whatsoever" for the words "any property or documents" in line 5, the word "documents" for "document" in line 12, and the words "realization of any sums" for the words "recovery of any moneys" in line 17.

Seconded by Mr. Vieyra.

Carried.

Mr. Kesava Pillai.—I beg to propose that the Bill as now amended be passed. It will, under section 4 of the General Clauses Regulation, come into force from the date of publication in the Gazette.

The motion was put and agreed to.

The Council adjourned at 10-25 A. M.

V. P. MADHAVA RAO,
President.

LIBRARY ARCHIVES Kerala Legislative Assembly